

MEMO ENDORSED

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKKENNETH DUNHAM and
MARTHA DUNHAM,

Plaintiffs,

v.

COVIDIEN, LP.,

Defendant.

Civil Action No. 1:19-cv-02851-LLS

DATE FILED: 6/22/20

*Granted
No opposition
So ordered.
Louis L. Stanton
6/21/20*

NOTICE OF JOINT MOTION TO STAY

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law filed simultaneously herewith, the undersigned counsel for Defendant Covidien LP and Plaintiffs Kenneth Dunham and Martha Dunham move before the Honorable Louis L Stanton, United States District Judge, of the United States District Court, Southern District of New York, at 500 Pearl Street, New York, NY 10007, on a date and at a time designated by the Court, for an Order staying all proceedings in this action pending decision on a motion currently before the United States Judicial Panel on Multidistrict Litigation (“JPML”) to transfer and coordinate pending federal actions related to the use of Covidien’s hernia mesh products. A stay will conserve judicial and party resources and avoid duplicative litigation. Both parties agree that a stay of all proceedings is appropriate.

For the reasons detailed in the accompanying Memorandum of Law in support of this joint motion, Plaintiffs and Defendant respectfully request that the Court grant the motion to stay all proceedings pending a ruling by the JPML on the creation of a Covidien hernia mesh MDL and transfer of this case to that MDL.

Dated: June 19, 2020

Respectfully Submitted,

DLA PIPER LLP (US)

/s/ Jessica C. Wilson

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*Attorney for Plaintiffs Kenneth Dunham and
Martha Dunham*

CERTIFICATE OF SERVICE

I, Jessica C. Wilson, hereby certify that on June 19, 2020, a true and correct copy of the foregoing Notice of Joint Motion to Stay, Memorandum of Law in Support of the Motion, and exhibits to the same, were electronically filed and will be sent to all registered counsel of record by operation of the Court's electronic filing system.

/s/ Jessica C. Wilson

Jessica C. Wilson